

**REMARKS**

Claims 1-2, 4-17, 19-30, 33 and 35 were examined by the Office, and in the final Office Action of August 20, 2009 all claims are rejected. With this response, no claims are amended, added or cancelled. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

**Claim Rejections Under 35 USC §103**

In section 1, on page 5 of the Office Action, claims 1-2, 4-17, 19-30, 33 and 35 are rejected under 35 U.S.C. § 103(a) as unpatentable over Takagi et al. (U.S. Patent No. 6,091,733) in view of Sturniolo et al. (U.S. Patent No. 6,201,962). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, because the cited references, alone or in combination, fail to disclose or suggest all of the limitations recited in claim 1. The cited references at least fail to disclose or suggest establishing a further connection between a proxy module and a remote service of a network through a selected access point so as to establish a communication connection between the terminal device and the network for the application client, as recited in claim 1. For at least this reason, claim 1 is not disclosed or suggested by the cited references.

Claim 1 recites establishing a local connection in a terminal device between an application client and a proxy module, and selecting an access point among a plurality of access points in the terminal device. Therefore, the connection between the application client and proxy module is local to the terminal device, and the access point is also located within the terminal device. Accordingly, the further connection between the proxy module and a remote server is from the proxy module through the access point in the terminal device. As such, it is apparent that the proxy module is located in the terminal device.

The Office acknowledges on page 5 of the Office Action that Takagi fails to disclose establishing a further connection between the proxy module and a remote server of a network through the selected access point so as to establish a communication connection between the

terminal device and the network for the application client, and relies upon Sturniolo for this teaching. However, applicant respectfully submits that Sturniolo fails to make up for the deficiencies in the teachings of Takagi, and in particular Sturniolo does not disclose or suggest that the proxy module is located in the terminal device, as recited in claim 1.

Sturniolo discloses multiple local area networks. A communication system according to Sturniolo includes a plurality of local area network (LANs). Each of the LANs includes a network backbone, and at least one access point coupled to the network backbone, which when a mobile terminal is registered to the access point, enables the mobile terminal to communicate wirelessly with a device on the network backbone via the at least one access point. When the mobile terminal is registered to at least one access point in one of the plurality of LANs the mobile terminal is assigned a first network address, and when the mobile terminal is registered to at least one access point in another of the plurality of LANs the mobile terminal is assigned a second network address in place of the first network address. The second network address is different from the first network address. The mobile communication system also includes a system backbone interconnecting the plurality of LANs for permitting communications between the plurality of LANs. Furthermore, the system includes a gateway controller, operatively coupled to one of the plurality of LANs, for serving as an intermediary for communications between the mobile terminal and a device on one of the system backbones in order that in the event the mobile terminal is assigned a different network address by virtue of registering with an access point in another of the LANs, the device is able to maintain communications with the mobile terminal without requiring knowledge of a change in the network address of the mobile terminal.

In contrast to claim 1, Sturniolo only discloses that the connection with the terminal is maintained inside the cell coverage and inside the LAN, but when a mobile terminal wishes to roam from one LAN to another the mobile terminal typically must disassociate itself from one LAN and reassociate itself with another LAN. See Sturniolo column 2, lines 14-17. Sturniolo further discusses that a real time hand over would add more complexity. See Sturniolo column 2, lines 18-20. However, claim 1 specifically recites selecting an access point among a plurality of access points in the terminal device, and therefore claim 1 is not concerned with

selecting an access point of a remote network, i.e. an access point located outside of the terminal device as in Sturniolo. Instead, as shown in Figures 3 and 4 of the present application, the method of claim 1 is carried out inside the terminal device. In contrast to claim 1, Sturniolo states that each gateway functions as an intermediary for communications between mobile terminals registered to an access point. See Sturniolo column 3, lines 2-4. However, as shown in Figure 1 of Sturniolo the gateways (40) and access points (28) are not located in the mobile terminal (36). In fact, step 74 of Figure 2 specifically states “register with access point in new network.” This is in contrast to claim 1, which specifically states that the plurality of access points are in the terminal device.

The Office asserts on page 4 of the Office Action that the limitation “access point is located outside of the terminal device” is not recited in the claims. However, the claims specifically recite that the access points are located in the terminal device. Accordingly, applicant’s previous argument was that Sturniolo failed to show access points located in the terminal device as recited in claim 1, and instead showed access points located outside of the mobile terminal. As such, the limitations relied upon by the applicant to distinguish the claims from the cited references are recited in the claims. Therefore, Sturniolo fails to make up for the deficiencies in the teachings of Takagi acknowledged by the Office, and applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references.

Independent claims 16, 33 and 35 contain limitations similar to those recited in claim 1, and are rejected for similar reasons. Therefore, for at least the reasons discussed above with respect to claim 1, claims 16, 33 and 35 are not disclosed or suggested by the cited references.

The claims rejected above, and depending from the above mentioned independent claims are not disclosed or suggested by the cited references at least in view of their dependencies.

**Conclusion**

For all the foregoing reasons, it is believed that all of the claims of the application are allowable, and their passage to issue is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

Dated: 16 October 2009

WARE, FRESSOLA, VAN DER SLUYS &  
ADOLPHSON, LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, CT 06468  
Telephone: (203) 261-1234  
Facsimile: (203) 261-5676  
USPTO Customer No. 004955

s/Keith R. Obert/

Keith R. Obert  
Attorney for Applicant  
Registration No. 58,051